

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86017 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- BARGAINIA District- Sitamarhi

Dhurendra Rai @ Langatua S/o- Late Ramchandra Ray Village- Masha Alam
PS-Bairgania Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Hans Lal Kumar, Advocate
For the State	:	Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Bairgania P.S. Case No. 214 of 2024, dated 31.08.2024 registered for the offence punishable under Section 30(a)(c) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, four persons were coming on two motorcycles with contraband on the back but seeing the police, they started fleeing away and three of them were successful in fleeing away where one Sudhir Kumar was apprehended on the spot and from the thrown bag, 234 liters of illicit liquor has been recovered.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner has nothing to do with the alleged offence and the alleged motorcycle does not belong to him nor was he present on the place of occurrence and only on the basis of suspicion, his name has been dragged in this case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Sitamarhi, in connection with Bairgania P.S. Case No. 214 of 2024, subject to the conditions as laid down under Section 438



(2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/-

U		T	
---	--	---	--

